

EQUATORIAL GUINEA 2022 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Equatorial Guinea is nominally a multiparty constitutional republic. Since a military coup in 1979, President Teodoro Obiang Nguema Mbasogo has dominated all branches of government in collaboration with his clan and political party, the Democratic Party of Equatorial Guinea, which he founded in 1991. In November, President Obiang claimed to receive 94.9 percent of the vote in the presidential election. His ruling party won all Senate and lower chamber seats. Many observers considered the elections to lack credibility, with significant irregularities such as instances of voter intimidation, nonsecret ballots, nontransparent voting processes, and systemic favoritism for the ruling party.

The vice president (Teodoro Nguema Obiang Mangue, eldest son of President Obiang) has overall control of the security forces. Police generally are responsible for maintaining law and order in the cities, while gendarmes are responsible for security outside cities and for special events. Police report to the Ministry of National Security, while gendarmes report to the Ministry of National Defense. Military personnel, who report to the Ministry of National Defense, fulfill police functions in border areas, sensitive sites, and high-traffic areas. Both ministries report to the vice president directly. Additional police elements are in the Ministries of Interior (border and traffic police), Finance (customs enforcement), and Justice (investigating and prosecuting police). Presidential security officials also exercise police functions at or near presidential facilities. Civilian authorities did not maintain effective control over the security forces. There were reports that members of the security forces committed numerous abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings; torture or cruel, inhuman, or degrading treatment or punishment by or on behalf of the government; harsh and life-threatening prison conditions; arbitrary arrest or detention; political prisoners or detainees; serious problems with the independence of the judiciary; arbitrary or

unlawful interference with privacy; punishment of family members for alleged offenses by a relative; serious restrictions on free expression and media, including censorship and enforcement of criminal libel laws; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental organizations; restrictions on freedom of movement and residence within the territory of a state and on the right to leave the country; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government corruption; serious government restrictions on or harassment of domestic and international human rights organizations; lack of investigation of and accountability for gender-based violence, including domestic or intimate partner violence; trafficking in persons; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; and outlawing of independent trade unions or significant restrictions on worker's freedom of association.

The government took some steps to prosecute or punish officials who engaged in corruption, but impunity was a serious problem. The government did not take steps to identify, investigate, prosecute, or punish officials who committed human rights abuses.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were reports that the government or its agents committed arbitrary or unlawful killings.

Throughout the year, there were anecdotal accounts of deaths in prison due to injuries inflicted by prison staff; no remedial action was taken.

In August, several individuals died after arrest and detention during police action *Operacion Limpieza* (Operation Clean-Up), allegedly from maltreatment or neglect in police custody.

Also in August, a prisoner from the 2017 coup attempt against President Obiang

died while in custody. Activist groups claim his death was because of government mistreatment. Members of the political opposition claimed a second prisoner in the same prison died from maltreatment during the same period.

In September, political movement Citizens for Innovation (CI) claimed police killed nine of their members during a raid on CI's headquarters.

No specific office investigates the legality of security force killings.

b. Disappearance

In September, authorities arrested numerous activists and civil society members without appropriately registering them in pretrial detention, during and after the government attack on the CI headquarters.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

The constitution and law prohibit such practices, but there were credible reports that government officials employed them. Police tortured activists and members of opposition parties, according to political opposition leaders and local nongovernmental organizations (NGOs). Lawyers and other observers who visited prisons and jails reported serious abuses, including beatings and torture.

Police reportedly beat and threatened detainees to extract information or to force confessions. Local civil society organizations claimed security forces tortured detainees in every prison in the country, including Black Beach prison in Malabo and in several Ministry of Interior locations, with increasing prisoner transfers between Malabo and prisons on the mainland to avoid domestic and international scrutiny.

In July, officials claiming to be from the Ministry of Interior and Local Corporations arrested and detained a representative of a local NGO. The representative appeared at a subsequent meeting with foreign diplomats with open facial wounds and body bruises, injuries he claimed he received from those Ministry of Interior officials.

In September, authorities detained popular rapper and activist Leoncio Pisco Eko, known as “Adjoguening.” Later that month, a WhatsApp audio recording circulated of him allegedly being tortured. The government denied the voice of the victim on the recording was Adjoguening. In October, authorities released Adjoguening, and he posted a video claiming he had experienced torture, including being stripped naked and beaten.

During the September police raid on CI headquarters, leader Gabriel Nze Obiang was arrested, stripped, and made to walk through a crowd in his underwear.

In the aftermath of the September government assault on CI’s headquarters, members of CI accused the government of transferring CI members to Oveng Asem prison on the mainland to avoid the intense international attention the incident had attracted. In a WhatsApp audio circulated by opposition groups and human rights organizations containing information consistent with other reports, a woman accused the government of mistreating the prisoners, including denying food, water, and medical treatment. In October, when authorities released some CI members, they appeared in a video accusing police of mistreatment. Allegations included confiscated belongings and forced disavowals of political affiliation with CI. Released members alleged individuals who remained in custody had been denied medical treatment for their wounds sustained during the September raid.

Impunity was a significant problem within the security forces, due to corruption, poor training, and the ability of senior government officials to order extrajudicial acts. An inspector general’s office within the Ministry of National Security investigates abuses within the ministry. Early in the year, gendarmes and police received training from the United Nations and a local NGO on human rights.

Prison and Detention Center Conditions

According to local observers, conditions in the country’s three prisons and 12 police station jails were generally harsh and occasionally life threatening due to severe physical and emotional abuse, overcrowding, disease, inadequate food, poorly trained staff, limited oversight, and lack of medical care.

Abusive Physical Conditions: Prison cells were overcrowded, dirty, and lacked mattresses. Up to 30 detainees commonly shared one toilet that lacked toilet paper

and a functioning door. Inmates rarely had access to exercise. In some cases, prisoners were reportedly left in solitary confinement for extended periods. Diseases such as COVID-19, malaria, typhoid, tuberculosis, hepatitis C, and HIV and AIDS were serious problems. In September, there were reports of a tuberculosis outbreak in one of the prisons in the continental region. In December, authorities reported a cholera outbreak in Black Beach prison. Prison authorities sporadically provided a limited number of prisoners and detainees with basic meals, but food was generally insufficient and of poor quality. Jails did not provide food to detainees, but authorities generally allowed families and friends to deliver meals twice daily, although police did not always pass on the food to the detainees. Ventilation and lighting were not always adequate, and rodent infestations were common. An NGO leader reported conditions and prisoner treatment in prisons on the mainland was much worse than in Black Beach prison in Malabo.

The Ministries of Justice and National Security operated civilian prisons on military installations, with military personnel handling security outside the prisons and civilians providing security and other services within them.

Statistics on prisoner deaths were unavailable. In August, a local NGO reported deaths of Operacion Limpieza detainees, including multiple children, because of mistreatment and abusive physical conditions in jails. A September WhatsApp audio accused the government of causing frequent prison deaths from hunger and illness at the Oveng Asem prison on the mainland.

Administration: Authorities did not regularly investigate credible allegations of mistreatment. Visitors had to pay guards small bribes to see detainees. Since 2020, authorities restricted visitation rights for family members and for legal counsel due to the COVID-19 pandemic. According to advocacy organizations, health concerns or outbreaks were used as pretexts to deny access to certain prisoners. Civil society organizations that received permission from the Ministry of Justice, Penitentiary Institutions, and Religion to visit prisoners were often refused entry by Ministry of National Security officials staffing the prisons.

Independent Monitoring: There was no independent monitoring of prisons or detention centers.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government rarely observed these requirements.

Arrest Procedures and Treatment of Detainees

The law requires arrest warrants unless a crime is in progress or in cases that affect national security. Members of the security forces frequently arrested persons in violation of the warrant requirement, and there were credible reports that in cases where no crime had been committed individuals were detained at the order of a senior executive branch official. A detainee has the right to a judicial determination of the legality of detention within 72 hours of arrest, excluding weekends and holidays, but this determination often took longer, sometimes several months. NGOs indicated most detainees were not charged and judges typically failed to issue a writ of habeas corpus within the 72-hour limit.

Courts rarely approved bail. The bar association supplied public defenders to those who could not afford private counsel but only at the time they were charged. Authorities occasionally denied access to lawyers, particularly in the case of political detainees. The law prohibits incommunicado detention, but local police chiefs did not always respect this prohibition and individuals detained in connection with civil society groups or political opposition movements were frequently held incommunicado.

Arbitrary Arrest: There were numerous reported cases of arbitrary arrests. The government arbitrarily arrested immigrants, opposition members, activists, and others. Many detainees complained bribes had to be paid to obtain release.

Police detained foreign nationals and took them into custody even when they provided proper documentation. Police raided immigrant communities. Reliable sources reported police abused, extorted, or detained legal and irregular immigrants during raids. Diplomatic representatives in the country noted the government made foreign nationals vulnerable to abuse through harassment, abuse, extortion, detention, and not renewing residence and work permits in a timely manner.

In May, the government began Operacion Limpieza allegedly in response to increased street violence from a gang armed with machetes called 8Machete. Police arrested more than 450 youths. According to civil society groups, many of the youths were unaffiliated with the gang and had committed no crime. As of November, some of the individuals detained in the initial roundup were still being held in pretrial detention. Authorities did not charge those released with any crime. When questioned, a high-level Ministry of Justice official stated it was possible police had “taken things too far.”

Pretrial Detention: Lengthy pretrial detention remained a problem and was often politically motivated. Inefficient judicial procedures, corruption, lack of monitoring, and inadequate staffing contributed to the problem. Occasionally, pretrial detention equaled or exceeded the maximum sentence for the crime.

e. Denial of Fair Public Trial

The law does not provide for an independent judiciary, and the government did not respect judicial independence and impartiality. The president is designated the “first magistrate of the nation” and chair of the Judicial Council responsible for appointing judges and magistrates.

Members of the government often influenced judges in sensitive cases. Judges and magistrates sometimes decided cases on political grounds, and many were members of the ruling party; others sought bribes. Impunity for politically motivated abuses was a problem, and human rights activists and opposition members had little legal recourse to protest such abuses. Authorities did not always respect court orders, and many persons turned to the legislature, the Constitutional Court, or the president in his executive role for enforcement of civil judgments on matters such as employment, land, and personal injury disputes, circumventing appropriate legal processes altogether. Credible reports alleged judges decided in favor of plaintiffs in cases against international companies in return for a percentage of damages awarded. There were reports of individuals kept in custody after completion of their sentences, and local lawyers asserted these cases represented interference from the highest level of the executive branch in judicial matters, and few if any judges would contradict an order from the executive branch.

Trial Procedures

The law provides for the right to a fair public trial, but the judiciary generally did not enforce this right. Courts generally did not respect the presumption of innocence, the right to be informed promptly and in detail of charges, the right to free interpretation, or the right to adequate time and facilities to prepare a defense. Unless defendants could afford private counsel, they were rarely able to consult promptly with attorneys. Courts seldom respected the right to confront and question witnesses and to present one's own witnesses and evidence. Authorities did not respect the right not to be compelled to testify or confess guilt or the right to appeal.

The military justice system provided defendants with fewer procedural safeguards than the criminal court system. The code of military justice states that a military tribunal should judge any civilian or member of the military who disobeys a military authority or who is accused of committing a crime that is considered a "crime against the state." A defendant in the military justice system may be tried in absentia, and the defense does not have the right to cross-examine an accuser. Such proceedings were not public, and defendants have no right of appeal to a higher court.

Political Prisoners and Detainees

There were numerous reports of political prisoners or detainees, but no data was available on their number or length of detention and the government denied it held any political prisoners. Political prisoners were often held at Oveng Asem, where they remained without charge or trial and without access to attorneys or human rights or humanitarian organizations for months at a time, and in the Ministry of Interior and Local Corporations – known in the country as Guantanamo – where sensitive political detainees were often kept for the first several days of their detention. There was little to no information regarding conditions at Guantanamo. Authorities also restricted religious observances for political prisoners.

Charges of terrorism, threatening the president or vice president, contributing to social instability, and inciting unrest were often used as pretexts to detain members of civil society or opposition groups.

In September, authorities detained without cause at least five members of the civil society platform Somos + (We are More), as were four activists who primarily operated on WhatsApp. Authorities arrested four members of unregistered opposition political parties after they provided testimony at the office of the fiscal general, the government's chief prosecutor.

In the aftermath of the September raid on CI headquarters, there were reports political detainees were transferred to the mainland instead of remaining in Black Beach Prison because there were fewer opposition or human rights observers available on the mainland.

Transnational Repression

Threats, Harassment, Surveillance, and Coercion: A local activist reported the government surveilled activists abroad to disrupt their travel and dissuade them from criticizing the government.

Civil Judicial Procedures and Remedies

Individuals or organizations may seek civil remedies for human rights abuses through domestic courts or other administrative mechanisms, such as filing petitions with the House of Representatives' Commission on Human Rights.

The government sometimes failed to comply with court decisions pertaining to human rights, including political rights. Individuals and organizations may appeal adverse court decisions to the ombudsperson or the legislature.

Property Seizure and Restitution

The government routinely seized valuable land for governmental development or the personal benefit of government officials, with a systemic failure to provide proportionate and timely restitution or compensation for governmental takings of private property.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibit such actions, but the government often did not

respect these prohibitions. Search warrants are required unless a crime is in progress or for reasons of national security, but security force members reportedly entered homes without required warrants and arrested alleged criminals, foreign nationals, and others. They also confiscated property and demanded bribes with impunity. Military and police personnel committed many break-ins.

Authorities reportedly monitored opposition members, NGOs, journalists, and foreign diplomats, including through internet and telephone surveillance. Members of civil society and opposition parties reported both covert and overt surveillance by security services. There were extensive reports of informer systems, including within families, neighborhood communities, and political opposition groups, and at demonstrations. The ruling party rewarded individuals with promotion within the party if they reported derogatory information to the Ministry of National Security. There were also reports from a local NGO authorities detained family members of lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) individuals as proxies until the LGBTQI+ persons presented themselves to authorities.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

Although the constitution and law provide for freedom of expression, including for members of the press and other media, the government retained and used extensive legal powers to restrict media activities.

Freedom of Expression: Individuals generally chose not to criticize the president, his family, other high-ranking officials, and security forces due to the risk of reprisal. The government attempted to impede criticism by continuing to monitor the activities of opposition members, journalists, and others. In some cases, authorities reprimanded individuals, removed them from their jobs, or both. Most individuals on social media assumed the government was monitoring their activity, and activists reported electronic surveillance of their personal email accounts. Individuals also assumed their telephone calls were monitored by government officials. Many individuals avoided discussing certain sensitive topics on the

telephone due to concerns of monitoring.

Violence and Harassment: Unlike in previous years, no incidents were reported of security forces detaining, intimidating, and harassing journalists during the year. The government took no steps to preserve the safety and independence of media.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: The law gives the government considerable authority to restrict media content through official prepublication censorship, and establishes criminal, civil, and administrative penalties for violation of its provisions. The government occasionally exercised that authority.

Media remained weak and under government influence or control. A limited number of independent media outlets were active and expressed a variety of views, but not without restriction. The country had one marginally independent newspaper that published sporadically, and an online news portal published articles including criticism of the government.

The only publishing facility available to newspapers was located at the Ministry of Information, Press, and Radio, where officials censored printed materials.

Print media outlets were extremely limited. Persons close to the president, including his son, the vice president, owned the few private media outlets that existed; the vice president owned the only private broadcast media. Starting a newspaper was a complicated process governed by an ambiguous law and impeded by government bureaucracy; creating a digital presence was less onerous. Accreditation was cumbersome for both local and foreign journalists.

The government owned the only national radio and television broadcast system. Journalists who worked for these entities could not report freely.

The government denied or left pending requests by political parties to establish private radio stations.

As most foreigners needed visas to visit the country, the time-consuming nature of the process effectively dissuaded some foreign journalists from visiting. In other cases, the government may have prevented reporters from obtaining visas.

Libel/Slander Laws: The government used criminal libel and slander laws to restrict public discussion.

Actions to Expand Freedom of Expression, Including for Members of the Media: In a change from previous years, officials did not routinely take down comments on social media critical of government personnel, actions, or policies.

Internet Freedom

The government restricted and disrupted access to the internet and censored online content. Independent media outlet AhoraEG was accessible only through a virtual private network. For three days in September, the government telecommunications provider cut off a diplomatic mission's access to the internet.

During the September siege of CI's headquarters in the Perez neighborhood, the government cut off all cell phone and internet reception, significantly restricting the ability of journalists, NGOs, and embassies to obtain and verify information.

Restrictions on Academic Freedom and Cultural Events

The government restricted academic freedom and cultural events.

Some cultural events required coordination with the Ministry of Information, Press, and Radio, the Ministry of Culture and Tourism, or both. This was more common outside of the largest cities. Occasionally authorization from local authorities was also required. The resulting bureaucratic delay was a disincentive for prospective organizers, who often could not ascertain the criteria used for judging proposed events or their chances for approval.

b. Freedoms of Peaceful Assembly and Association

The government restricted freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

The constitution and law provide for the right of peaceful assembly, but regulatory provisions effectively undermined this right, and the government routinely restricted freedom of assembly, including for political parties (see section 3,

Political Parties and Political Participation). For example, the government routinely rejected applications for permits to assemble. Permits were regularly issued only for gatherings in support of the ruling party. Civil society and political opposition members met infrequently, claiming any gathering of activists or individuals perceived to be engaged in political activities would be seen as suspicious, and authorities would harass or detain participants.

The political opposition party Convergence for Social Democracy (CPDS) requested permits to demonstrate on June 30. Authorities initially granted the permit and then withdrew permission and deployed security forces to dissuade any potential participation. Days after revoking the CPDS permit, authorities approved a progovernment pro-unity demonstration held in reaction to a declaration of independence in Annobón, an island close to Sao Tome and Principe.

Freedom of Association

The constitution and law provide for freedom of association, but the government severely restricted this right. All political parties, civil society organizations, and other associations must register with the government, but the registration process was costly, burdensome, opaque, and slow.

Politically motivated crackdowns on civil society organizations remained a problem, including the temporary detention of civil society activists without charge. The government was slow to authorize NGOs, especially those working in areas considered sensitive by the government, including human rights, or those with members associated with opposition parties. During a months-long civil society capacity building training organized by an international NGO, on several occasions the government restricted or cancelled activities it had previously approved and required the international NGO to submit a list of participants to the Ministry of Interior. The ministry later demanded the international organization refuse training to unregistered organizations.

The LGBTQI+ collective Somos Parte del Mundo (We are Part of the World) was still not registered after submitting its request in 2016. Somos + submitted a registration request in 2018 and was also still not registered, apparently due to an opposition party member being one of its leaders. Several other civil society

organizations, such as the Asociación de Emprendedores Ecuatoguineanos (Association of Entrepreneurs of Equatorial Guinea) were unable to register. Other organizations reported they were able to register activities with the requisite ministry when they invited ministry participation and attendance. The legally established period for government approval of organizations and activities is two months.

The law prohibits the formation of political parties along ethnic lines. Some parties have been unable to register for years (see section 3, Political Parties and Political Representation). Only one labor organization was believed to be registered (see section 7.a.).

The law limits the amount of funding civil society organizations may receive from any source to approximately 53,000 CFA francs (\$86) per year, but the restriction was not widely enforced.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, but the government often restricted these rights. Multiple members of the opposition reported authorities delayed the renewal of their identity documents, effectively limiting their ability to travel within the country and abroad.

In-country Movement: Police at roadblocks routinely checked travelers, and some engaged in petty extortion. The government also conducted frequent roundups of foreign nationals at roadblocks, claiming the need to counter irregular immigration, delinquent activities, and coup attempts. The government continued tight restrictions on interdistrict movement, nominally to prevent crime and detect illegal migration but used for extortion attempts and to threaten immigrants. Additionally, the government imposed a 10:00 p.m. curfew on anyone younger than age 23 in reaction to reported gang violence in certain neighborhoods in

Malabo and Bata.

The law prohibits forced internal exile, but since 2016 authorities restricted CI leader Gabriel Nze Obiang's movements to the capital.

Foreign Travel: Officials at the airport continued to sporadically and inconsistently require a negative COVID-19 test certificate issued by the Ministry of Health to leave the country despite a governmental decree abolishing the practice. Authorities required some dual nationals to renounce their non-Equatoguinean citizenship as a requirement for departure. The passport application process was difficult and convoluted, with limited transparency. Some observers believed authorities made the process deliberately difficult to reduce emigration. The government has declined to issue a passport to activist and musician Adjonguening since 2018.

e. Protection of Refugees

The government did not generally cooperate with the Office of the UN High Commissioner for Refugees (UNHCR) or other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern. There were no organizations that provided protection and assistance. UNHCR did not maintain an office in the country.

Access to Asylum: The law provides for the granting of asylum or refugee status, but the government has not established a system for providing protection to refugees.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government in free and fair elections held by secret ballot and based on universal and equal suffrage, but the government severely limited this right.

Elections and Political Participation

Recent elections: In November presidential and legislative elections, the ruling

Democratic Party of Equatorial Guinea (PDGE) claimed 94.9 percent of the vote. The PDGE took all 75 Senate seats and all 100 seats in the House of Representatives. Contrary to the constitution, which requires that presidential elections be held separately from legislative elections, elections were combined. Voters were required to vote for the same party for presidential and legislative elections; there was no option to split their vote.

In the months leading up to the presidential election, authorities closely monitored and tightly controlled public gatherings. Political parties required government authorization to hold rallies; the PDGE received preferential treatment.

International observers noted significant irregularities and lack of transparency in the electoral process, particularly in rural mainland areas. Many voting booths were not secret; in some, poll workers could watch the voter cast their vote. In almost all polling places, heavily armed security forces sat within a few yards of registration tables. At some locations, voters cast votes on behalf of family members. In some precincts, poll workers instructed voters to only pick up PDGE ballots, handed voters ballot envelopes that already contained PDGE ballots, altered the envelopes so they could see who voters had voted for, or wrote voters' identification numbers on the ballot envelopes, which could allow election officials to later connect the ballot to the voter. There was one report from an opposition party that two of its supporters were refused their right to vote because of their political affiliation.

Despite reports that opposition party CPDS won the necessary number of votes in urban districts to earn a seat in either a municipal council or the lower chamber, the National Electoral Commission (NEC) declared the PDGE won all seats.

The NEC was not independent of the PDGE or government influence. By law the NEC consists of six judges appointed by the head of the Supreme Court, six government representatives and a secretary appointed by the president, and one representative from each registered political party. The president appointed the minister of interior, a PDGE leader, to head the NEC. Election laws regarding the NEC were not enforced.

Political Parties and Political Participation: The PDGE ruled through a

complex network of family, clan, and ethnic relationships. Public-sector employees were pressured to join the PDGE and agree to garnishment of their salaries to fund PDGE activities. Party affiliation remained a key factor in obtaining government employment. The ruling party's near monopoly on power, funding, and access to national media hampered the CPDS.

Political parties could receive both private and public funding but were not required to disclose the amount of private funding. In advance of the November elections, the two opposition presidential candidates received 350 million CFA francs (\$569,000) to fund their campaigns. The director of the ruling party campaign accused both candidates of misusing the funds. The government subjected opposition members to arbitrary arrest and harassment before elections.

Opposition members reported discrimination in hiring, job retention, and obtaining scholarships and business licenses.

Registered opposition parties faced restrictions on freedom of speech, association, and assembly. For example, supporters who attended opposition political party campaign rallies were singled out for police interrogation and harassment. Some political parties that existed before the law establishing procedures to register political parties remained banned for allegedly "supporting terrorism." The government abolished permit requirements for political party meetings within party buildings but required prior permission for public events, such as meetings in other venues or marches, and frequently denied the permit requests.

Despite laws authorities stated were designed to facilitate the registration of political parties, the government prevented the registration of opposition parties. The government deregistered CI in 2018, and it remained suspended as a political party. Members of CI continued to face discrimination and harassment, including in the aftermath of the September police raid on their headquarters. CI members claimed they could not return to their homes without jeopardizing the safety of their friends and family. CI members, including the family of leader Gabriel Nze Obiang, claimed jailed family members were subjected to increased harassment and mistreatment.

The president exercised strong powers as head of state, commander of the armed

forces, head of the judiciary, and founder and head of the ruling party, and the government generally restricted leadership positions in government to select PDGE members or members of a coalition of loyal parties that campaigned and voted with the PDGE.

Participation of Women and Members of Minority Groups: No laws limit participation of women and members of minority groups in the political process, and they did participate. Patriarchal cultural influences, including deferring social, financial, and political decision-making to the heads of families and clans who were always men, however, limited women's political participation, especially in rural areas.

The government did not overtly limit minority participation in politics, but members of the Fang ethnic group occupied most of the top ranks. Estimated to constitute 80 percent of the population, the Fang group exercised dominant political and economic power. The law prohibits parties that are not national, eliminating opportunities for minority or regionally focused parties, although minorities were represented in most major parties, including the PDGE.

Section 4. Corruption and Lack of Transparency in Government

While the law provides severe criminal penalties for official corruption, the government did not effectively implement the law. There are no specific laws concerning conflict of interest or nepotism. There were numerous reports of government corruption.

According to Freedom House, the budget process was "opaque." The government continued to improve fiscal transparency, including auditing state-owned enterprises and public debt using international accounting firms and publishing data on public-sector debt in the budget.

Corruption: Officials engaged in corrupt practices with impunity. The president and members of his inner circle continued to amass personal fortunes from the revenues associated with monopolies on all domestic commercial ventures, as well as timber and oil exports. Corruption at all levels of government was a severe

problem. Numerous foreign investigations continued into high-level official corruption.

On July 8, President of the Supreme Court David Nguema Obiang Eyang presented his resignation to President Obiang, according to the vice president's Twitter account. It was later reported Obiang Eyang admitted receiving bribes of 100 million CFA francs (\$163,000) or more from the supermarket chain Santy.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

The law restricts NGO activity. The country's few domestic NGOs mainly focused on topics such as health, women's empowerment, and elder care. The Center for Studies and Initiatives for the Development of Equatorial Guinea (CEIDGE) was one of the few NGOs that made public statements regarding government corruption and human rights abuses. After authorities revoked its charter in 2019, CEIDGE remained unable to conduct operations.

The government was generally suspicious of human rights activities, claiming human rights concerns were largely prompted by antigovernment exile groups and hostile foreign NGOs. Government officials rarely were cooperative and responsive to the views of human rights groups, although they cooperated in some areas, such as on combatting trafficking in persons and gender-based violence.

Somos + conducted democracy events and advocated for the rights of citizens. Lack of accreditation hampered its effectiveness.

Retribution against Human Rights Defenders: Government officials used media outlets to try to discredit civil society actors, categorizing them as supporters of the opposition and critics of the government. The few local activists who sought to address human rights risked intimidation, harassment, unlawful detention, and other reprisals.

The United Nations or Other International Bodies: The government generally cooperated with UN bodies focused on human rights matters, including the

representative of the UN High Commissioner for Human Rights, but that representative did not conduct monitoring activities or investigations due to government reluctance to authorize them or participate. The government did not cooperate with other international human rights organizations.

Government Human Rights Bodies: The Commission on Human Rights, which is part of the House of Representatives' Committee for Complaints and Petitions, received citizen petitions. The commission was not fully operational, independent, or effective. An ombudsperson and a coordinator for the government's efforts to combat trafficking in persons were also not fully operational or effective.

Government officials responsible for addressing human rights problems functioned more to defend the government from accusations than to investigate human rights complaints or compile statistics.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: Rape is illegal and punishable by 12 to 20 years' imprisonment and fines. The law does not address spousal rape or the gender of rape survivors. The government did not enforce the law effectively, in part due to reluctance of survivors and their families to report rape. Even when survivors reported rape, police and judicial officials were reluctant to act, particularly if alleged perpetrators were politically connected or members of the military or police. LGBTQI+ women and transgender men were particularly vulnerable to sexual violence in the military, and these same groups reported abuse by their families including rape as a form of so-called conversion therapy. Transgender women reported harassment, rape, and sexual abuse in police custody.

Domestic violence is illegal. The penalty for assault ranges from one to 20 years' imprisonment. Survivors were reluctant to report cases, and the government did not enforce the law effectively, with police and the judiciary reluctant to prosecute cases. Authorities generally treated domestic violence as a private matter to be resolved in the home, did not protect the anonymity of survivors, and often disclosed survivors' whereabouts to their alleged abusers. No statistics were

available on prosecutions, convictions, or punishments.

The government-controlled media regularly broadcast public service announcements regarding domestic violence and trafficking in persons.

Other Forms of Gender-based Violence: In rural areas there were instances of levirate marriage, the practice by which a woman is required to marry her deceased husband's brother, often against her will. Under such practice, women were not allowed to inherit their late husbands' possessions. In some cases, large bride prices paid to a wife's family made it difficult for women to leave their marriages because, despite the law's requirement for an equitable division of assets, traditional practices within the majority Fang ethnic group required reimbursement of the bride price and additional goods accrued during the marriage to a husband's family in the case of divorce.

Sexual Harassment: Although the law prohibits sexual harassment, with penalties of fines and imprisonment, it continued to be a problem. The government made no effort to address the problem; no statistics were available.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Legal, social, and cultural barriers and government policies impeded access to sexual and reproductive health services including for LGBTQI+ individuals.

The government provided access to sexual and reproductive health services for sexual violence survivors, including interviews and medical examinations at hospitals and clinics, although service providers had no specific training on handling sexual violence. Emergency contraception was not available as part of family planning method mix or the clinical management of rape cases. There was limited access to postabortion care. LGBTQI+ persons reported so-called corrective rape, involuntary pregnancy, and forced child-rearing.

According to the World Health Organization, the maternal mortality rate was 301 per 100,000 live births in 2017. Major factors affecting maternal mortality included poverty, poor medical training, and limited access to health care, especially in rural areas. Prenatal and obstetric care was free in government clinics

but limited primarily to the cities of Malabo and Bata. The birth rate was 176 per 1,000 girls and women ages 15 to 19. Factors likely contributing to the high birth rate included cultural tolerance for childbirth out of wedlock, low access to sexual education and contraception in rural populations, and economic constraints increasing the risk of child, early, and forced marriages, unions, and other relationships for girls with older men.

The Ministry of Education required teenage girls to take pregnancy tests, and those who tested positive were expelled from school.

Discrimination: While the constitution provides for equality between men and women, the law discriminates against women in matters of nationality (for example, it is easier for a man to pass citizenship to a foreign spouse than it is for a woman), real and personal property, and inheritance. The prevalence of negative stereotypes and adverse cultural norms and customs was believed to contribute to discrimination against women.

Custom confined women in rural areas largely to traditional roles. Women in urban areas experienced less overt discrimination but did not enjoy pay or access to employment and credit on an equal basis with men (see section 7.d., Discrimination with Respect to Employment and Occupation).

LGBTQI+ women and women with disabilities faced significantly higher barriers to securing employment and addressing discrimination or harassment.

While the government did not effectively enforce constitutional provisions of equality, it provided courses, seminars, conferences, and media programs to sensitize the population and government agencies to the needs and rights of women. The government also provided limited technical assistance and financial support to rural women.

Systemic Racial or Ethnic Violence and Discrimination

The law does not protect members of racial or ethnic minorities or groups from violence and discrimination.

The predominant ethnic group, the Fang, dominated politics and the economy.

Inhabitants of Annobón, home to a distinct ethnic group, were systematically discriminated against and denied access to services including internet services.

Children

Birth Registration: Citizenship is derived from a citizen parent, whether born in the country or abroad, but not automatically from birth on the country's territory. If both parents are foreigners, a person born in the country can claim nationality at age 18, but the process was extremely burdensome and rarely resulted in approved citizenship. The Ministry of Health and Social Welfare required parents to register all births and adjudicated them on a nondiscriminatory basis. Failure to register a child could result in denial of public services.

Education: Education is tuition free and compulsory until age 16, although students were required to pay for registration, textbooks, and other materials. Most children attended school through the primary grades (sixth grade) (see section 6, Women, Reproductive Rights, and section 7.c.). Boys and girls generally completed secondary or vocational schooling. LGBTQI+ girls reported discrimination or exclusion by teachers. Chores and work at home also limited girls' access to secondary education, especially in rural areas. Attention to school attendance generally focused more on citizen children than on their foreign resident peers.

Child Abuse: Abuse of children is illegal, but the government did not enforce the law effectively. Corporal punishment was a culturally accepted method of discipline, including in schools.

Child, Early, and Forced Marriage: The minimum age for marriage is 14. Forced marriage occurred, especially in rural areas. The Ministry of Social Affairs and Gender Equality operated programs to deter child marriage but did not address forced marriage.

Sexual Exploitation of Children: Commercial sexual exploitation of children is illegal, but authorities generally did not identify nor prosecute offenders. The law addresses the sale, offering, or use of children, but not the grooming of children for commercial exploitation. It addresses child pornography. Antitrafficking provisions include sexual exploitation and pornography as examples of cases of

trafficking-related crimes. The government sometimes enforced laws governing child pornography. The minimum age of sexual consent is 18.

Children were exploited in commercial sex, particularly in the two largest cities, Malabo and Bata. Transgender children and youth were particularly vulnerable to sexual exploitation according to a study performed by a local NGO, and both security forces and high-level officials were complicit.

Antisemitism

The Jewish community was small, likely fewer than 100 persons. There were no known reports of antisemitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: There are no laws criminalizing consensual same-sex sexual conduct between civilian adults, but consensual same-sex sexual conduct is criminalized in the armed forces, as is LGBTQI+ identity. There were multiple reports of the military enforcing these prohibitions, and there were several women convicted and in military jails on conduct or identity charges.

Violence against LGBTQI+ Persons: Security forces reportedly subjected LGBTQI+ individuals to violence, including rape and other sexual violence, within the military and in jails and prisons. LGBTQI+ women and transgender men were particularly vulnerable to sexual violence in the military. There were numerous reports of violence against lesbian women. Authorities did not investigate these abuses. There were no reliable statistics on the number of cases (see section 1.f.).

Discrimination: The law does not formally recognize or protect the existence of LGBTQI+ persons or groups; no laws prohibit discrimination. The government's

position was that LGBTQI+ sexual orientations and gender identities were inconsistent with cultural beliefs; the government made no effort to protect LGBTQI+ persons or combat LGBTQI+ stigma and discrimination. Transgender women continued to face significant discrimination in employment and treatment by security forces and in detention. There was no state support available for LGBTQI+ individuals, couples, or their families.

Societal stigmatization of and discrimination against the LGBTQI+ community was widespread, and nonstate support and recognition was extremely limited, although activists reported acceptance of the LGBTQI+ community might generally be on the rise. Bisexual women's sexuality, especially if they had children, was not acknowledged, nor were the women included as members of the LGBTQI+ community, and they were subject to significant levels of exclusion. There was little to no societal recognition of transgender individuals, and there was significant cultural ignorance regarding the gender identity, expression, and experience of transgender individuals, including within the LGBTQI+ community.

Availability of Legal Gender Recognition: There was no process for legal gender recognition.

Involuntary of Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: There were reports of LGBTQI+ individuals being subjected to so-called conversion therapies through religious rituals and detentions. There were also reports of "corrective rape," involuntary pregnancy, and forced child-rearing to "change" the sexual identity of lesbian and bisexual women and the gender identity of transgender men.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: The government declined to register LGBTQI+ organizations, despite attempts by LGBTQI+ organizations to conform with the registration law.

Persons with Disabilities

Persons with disabilities cannot access education, health services, public buildings, and transportation on an equal basis with others. New buildings must reportedly be accessible to persons with disabilities, but inaccessible public buildings and schools remained obstacles, including some newly constructed government

buildings. Access to other state services such as health services, information, communications, transportation, and the judicial system are not explicitly provided by law. Authorities did not effectively enforce existing access requirements. The government did not provide information on disability concerns in accessible formats.

Authorities did not investigate incidents of violence or other abuses against persons with disabilities.

The law does not prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities. While the law requires companies employing more than 50 employees hire a certain percentage of persons with disabilities, few if any did so. Children with disabilities attended primary, secondary, and higher education, although generally no accommodations were made for their disabilities. A small number of private schools for children with disabilities operated with a combination of public and private funding.

Persons with disabilities may vote and otherwise participate in civic affairs, but lack of physical access to buildings posed a barrier to full participation.

Other Societal Violence or Discrimination

Foreigners were often victimized, including documented and irregular immigrants from Benin, Cameroon, Ethiopia, Gabon, Ghana, Mali, Nigeria, Togo, and other African countries, who represented a significant portion of the labor force. The government required immigrants to have relevant documents, partly to address concerns regarding trafficking in persons, although police and gendarmes used documentation status to extort bribes from foreigners at routine traffic stops. The registration process was laborious and excessive, often resulting in foreigners failing to maintain legal status despite timely applications for appropriate documentation.

In public speeches, President Obiang frequently referred to foreigners as a security and terrorist threat and warned of a renewal of colonialism by foreign interests.

There was stigma regarding persons with HIV and AIDS, and many individuals kept their illness hidden. The Ministry of Health and Social Welfare estimated

fewer than half of persons with HIV and AIDS sought treatment, and some persons likely avoided the no-cost treatment because of associated social stigma.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides workers the right to establish unions, affiliate with unions of their choice, and collectively bargain. The law also allows unions to conduct activities without interference. The law requires a union to have at least 50 members from a workplace to register, however, effectively blocking most union formation. The government did not generally allow unions to organize. In view of the general absence of union recognition, there were no reports of government enforcement of laws respecting their establishment or operation.

Authorities refused to recognize unions such as the Workers Union of Equatorial Guinea, Independent Service Union, Teachers' Trade Union Association, and the Rural Workers Organization. Most often those seeking to organize were co-opted into existing political party structures by means of pressure and incentives.

The law broadly acknowledges the right to engage in strikes, but no implementing legislation defines legitimate grounds for striking. No law requires the reinstatement of workers fired for union activity, although such dismissal may fall under wrongful termination. The government has never authorized a strike.

The government did not protect the right of unions to conduct their activities without interference. Penalties were not applied but were commensurate with those for other laws involving denial of civil rights, such as discrimination.

Labor NGOs faced restrictions and were unable to operate.

Dismissed workers could appeal to the Ministry of Labor and Social Security through their regional delegate, but there was little trust in the fairness of the system. Citizens and foreigners with valid work permits have the right to appeal Ministry of Labor and Social Security decisions to a special standing committee of the House of Representatives established to hear citizen complaints regarding decisions by any government agency. The committee was not active.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor. The Ministry of Labor and Social Security made no significant findings of forced or coerced labor despite high-level government officials acknowledging forced labor was a problem in the country. The government did not effectively enforce the law or take sufficient action to end trafficking, and forced labor occurred.

Men and women from Benin, Cameroon, Ghana, and other neighboring countries, as well as from Cuba, the Dominican Republic, and Venezuela, were recruited for work, and there were reports some were subsequently subjected to forced labor. Often, they were not compensated as agreed, and their employers held or confiscated their passports. One of the largest grocery chains reportedly held its expatriate workers' passports and enforced curfews and other restrictions.

Employees in the public and private sector were often paid months late. Some workers, especially those from overseas, quit their jobs because of nonpayment, having effectively worked for months without compensation.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits all the worst forms of child labor. The law prohibits employment of children younger than age 18 in all sectors. With the authorization of the Ministry of Labor and Social Security and their parents or guardians, however, children between ages 16 and 18 may perform light work that does not interfere with their schooling. The minimum age for apprenticeships is 16.

Children are permitted to work only during the day, and their workday is limited to six hours, for which they are paid the equivalent of an eight-hour daytime work rate. The government did not publish a list of hazardous types of work prohibited for children.

The Ministry of Labor and Social Security is responsible for enforcing child labor laws, but labor inspectors focused mainly on the construction industry and not on

child labor. The laws were not effectively enforced, penalties were not commensurate with those for other analogous serious crimes, such as kidnapping, and penalties were never enforced. The government did not have data on the worst forms of child labor.

Children were reportedly transported from nearby countries, primarily Benin, Cameroon, Gabon, Nigeria, and Togo, and forced to work as domestic servants, market laborers, street vendors, launderers, and beggars, as well as reports of local children brought from rural areas to work as domestic servants in Malabo and Bata. The law prohibits children from working as street vendors to reduce child labor.

Some children worked in family businesses, mostly in the informal economy, and were seen selling used clothes, fruit, and vegetables, especially on weekends. Other children worked as servers or cooks in family restaurants and bars.

d. Discrimination with Respect to Employment and Occupation

Laws and regulations prohibit discrimination based on race, skin color, sex, political opinion, national origin, social status, or union affiliation. Laws do not prohibit discrimination based on age, religion, disability, sexual orientation or gender identity, language, HIV and AIDS status, or refugee or stateless status. The government did not effectively enforce these laws and regulations. Penalties were not commensurate to laws related to civil rights. Penalties were rarely enforced. Discrimination in employment and occupation occurred with respect to political affiliation, ethnicity, sex, sexual orientation, gender identity, disability, and HIV and AIDS status. Wage discrimination against foreign migrant workers occurred.

The government does not have an agency responsible for the protection of persons unable to work due to permanent or temporary illness or other health conditions. The Ministry of Labor and Social Security did not effectively enforce the legal mandate to employ a specific percentage of persons with disabilities in companies with 50 employees or more, nor did the government take steps to accommodate them in the workplace.

The country continued to have large gender gaps in education, equal pay, and employment opportunities. Deep-rooted stereotypes and ethnic traditions impeded

women's employment opportunities, and pregnant women, women with disabilities, and LGBTQI+ women faced additional barriers. Because of difficulties in the formal sector, women mostly worked in the informal sector, where they did not have access to benefits or social security. The lack of enforcement left women vulnerable to discrimination, but they rarely complained due to the risk of reprisals. There were no protections against sexual harassment in the workplace.

The informal sector provided some women with sufficient economic resources to finance major purchases, pay for education abroad for family members, or obtain financial security, achievements not possible in the formal economy. The government did not maintain accurate or updated statistics on unemployment generally, nor by segment of society.

The Ministry of Social Affairs and Gender Equality continued a program to promote self-employment among rural women. The president's wife, on an ad hoc basis, donated funds to promote women-owned businesses.

e. Acceptable Conditions of Work

Wage and Hour Laws: The law requires employers to pay citizens at the same rate as foreigners and to pay domestic workers not less than 60 percent of the national minimum wage.

The standard work week is eight hours a day and 48 hours a week for daytime work, six hours a day and 36 hours a week for night work, and seven hours a day and 42 hours a week for mixed day and night work. Offshore workdays in the oil and gas sector are a minimum of 12 hours, of which eight hours are considered regular work and four hours are counted as overtime. Overtime is not mandatory, except as provided by law or special agreement, and is prohibited for pregnant workers. The law allows overtime for night work. Premium pay is required for overtime and holidays.

Occupational Safety and Health: Occupational safety and health (OSH) standards do not provide for protection of workers from occupational hazards. The Ministry of Labor and Social Security is responsible for setting OSH standards but did not have OSH experts to actively identify unsafe conditions. The ministry did

not publish the results of its OSH inspections.

The law permits workers to remove themselves from situations that endanger health or safety without jeopardy to their employment.

Legal protections exist for employees injured or killed on the job and for those who are exposed to dangerous chemicals, but these protections were generally extended only to those in the formal sector. Protections in the hydrocarbons sector exceeded minimum international safety standards.

Foreigners, including migrants from Africa, Asia, and the Americas, were sometimes subjected to poor working conditions. An existing ministry website and a telephone hotline established during the year enabled workers to report workplace irregularities and violations, including safety concerns and forced labor. No cases had been reported to the hotline as of October.

Wage, Hour, and OSH Enforcement: The Ministry of Labor and Social Security is responsible for enforcing wage, hour, and OSH laws. The government did not effectively enforce wage, overtime, or OSH laws. Penalties were not commensurate with those for similar violations, such as fraud or negligence. Penalties were sometimes applied against violators. The ministry conducted some workplace inspections to verify adherence to labor laws. The small number of labor inspectors was insufficient to enforce the law effectively. Inspectors have the authority to make unannounced inspections and initiate sanctions. When inspectors found violations, the government required some employers to correct the problem, pay fines, or pay reparations to the employees, but most employers were able to renegotiate the findings or pay bribes to eliminate the penalty.

Informal Sector: The government did not monitor the informal sector, which employed most workers, including large numbers of women and African immigrants. The country's informal sector was estimated to have reached 32 percent of GDP in 2017 in response to growing demand for goods and services. The informal sector was mainly made up of small businesses that provided consumables and services, such as frozen food, produce, fish and fish products, hair salons, convenience stores, auto repair shops, restaurants, and bars. Employees and businesses in the informal sector were vulnerable to extortion and

abuse from officials, including demands for bribes, demolition of structures, and harassment from police and gendarmes. Workers in the informal sector and part-time workers are not covered by wage, hour, and OSH laws or other labor laws or inspections. No official entity provided social protections for informal economy workers.